

AMENDMENTS TO THE CLAIMS:

This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

1. (Currently Amended) A composition comprising a combination of:

a) ~~an inhibitor of Herpes simplex virus thymidine kinase that is 2-phenylamino-9-(4-hydroxybutyl)-6-oxopurine selected from the group consisting of 2-phenylamino-9-substituted-6-oxopurines and 2-phenylamino-9H-6-oxopurines, or an ester, or salt, or solvate thereof, in a first dose less than a median therapeutically effective dose of the inhibitor of Herpes simplex virus thymidine kinase, and~~

b) ~~an antiherpes substance that inhibits viral DNA replication comprising one or more of (1) a pre-phosphorylated or phosphonate nucleoside analog selected from the group consisting of acyclovir monophosphate, ganciclovir monophosphate, cidofovir, and foscarnet; (2) a pyrophosphate analog; and (3) a nucleoside analog, or any combination thereof, or an ester, or salt, or solvate thereof, in a second dose less than a median therapeutically effective dose of the antiherpes substance;~~

~~— wherein the first dose and the second dose together form a therapeutically effective dose of the combination.~~

2-9. (Cancelled)

10. (Original) The composition of claim 1, wherein the antiherpes substance is cidofovir or an ester or salt thereof.

11. (Currently Amended) The composition of claim 1, wherein the antiherpes substance is acyclovir, or an ester, or salt, or solvate thereof.

12. (Currently Amended) The composition of claim 1, wherein the antiherpes substance is acyclovir monophosphate, or an ester, or salt, ~~or solvate~~ thereof.

13. (Currently Amended) The composition of claim 1, wherein the antiherpes substance is ganciclovir monophosphate, or an ester, or salt, ~~or solvate~~ thereof.

14. (Original) A dosage form for parenteral or oral use containing a pharmaceutical composition according to claim 1.

15. (Original) A cream, lotion, gel, ointment, plaster, stick, or pen containing a composition according to claim 1.

16. (Original) The composition of claim 1, including a pharmaceutically acceptable carrier that is selected from the group consisting of sterile water, saline, polyalkylene glycols, vegetable oils, hydrogenated naphthalenes, biocompatible polymers, biodegradable polymers, and mixtures thereof.

17. (Original) The composition of claim 16, wherein the biodegradable polymer is selected from the group consisting of polycaprolactone, polydecalactone, poly(sebacic anhydride), sebacic acid-co-1,3-bis(carboxyphenoxypropane), sebacic acid-co-1,6-bis(carboxyphenoxyhexane), dedecanoic-co-1,3-bis(carboxyphenoxypropane), dedecanoic-co-1,6-bis(carboxyphenoxyhexane), albumin and derivatives, gelatin and derivatives, starch and derivatives, gum arabic, cellulose and derivatives, polysorbate and derivatives, agarose, lectins, galactose, polyurethanes, polyvinylalcohol, functionalized polymers and copolymers of lactic and glycolic acid, lactic acid homopolymer, glycolic acid copolymer, copolymers of lactic acid and glycolic acid, polyhydroxybutyrate, polyhydroxyalkanoic acid, and mixtures thereof.

18. (Original) The composition of claim 17, wherein the biodegradable polymer is in the form of a particle.

19. (Original) The composition of claim 18, wherein the particle includes multiple walls.

20-31. (Cancelled)

32. (Currently Amended) A kit for treatment of a Herpes simplex virus infection in a mammal, the kit comprising:

a) an inhibitor of ~~Herpes simplex virus thymidine kinase that is 2-phenylamino-9-(4-hydroxybutyl)-6-oxopurine selected from the group consisting of 2 phenylamino-9 substituted-6-oxopurines and 2 phenylamino-9H-6-oxopurines, or an ester, or salt, or solvate thereof, in a first dose less than a median therapeutically effective dose of the inhibitor of Herpes simplex virus thymidine kinase,~~

b) an antiherpes substance that inhibits viral DNA replication comprising one or more of (1) a pre-phosphorylated or phosphonate nucleoside analog selected from the group consisting of acyclovir monophosphate, ganciclovir monophosphate, cidofovir and foscarnet; (2) a pyrophosphate analog; and (3) a nucleoside analog, or any combination thereof, or an ester, or salt or solvate thereof, in a second dose less than a median therapeutically effective dose of the antiherpes substance;

wherein the first dose and the second dose together form a therapeutically effective dose of the combination; and

c) instructions for administering (a) and (b) concurrently or within a sufficiently close time to achieve coexistent concentrations of (a) and (b) in subject.

33-35. (Cancelled)

36. (Original) The kit of claim 32, wherein the antiherpes substance is cidofovir or an ester or salt thereof.

37. (Currently Amended) The kit of claim 32, wherein the antiherpes substance is acyclovir, or an ester, or salt, or solvate thereof.

38. (Currently Amended) The kit of claim 32, wherein the antiherpes substance is acyclovir monophosphate, or an ester, or salt, or solvate thereof.

39. (Currently Amended) The kit of claim 32, wherein the kit comprises the thymidine kinase inhibitor is 2-phenylamino-9-(4-hydroxybutyl)-6-oxopurine, or an ester, or salt, or solvate thereof, and wherein the antiherpes substance is acyclovir, or an ester, or salt, or solvate thereof.

40. (Currently Amended) The composition of claim 1 comprising a combination of, wherein the thymidine kinase inhibitor is 2-phenylamino-9-(4-hydroxybutyl)-6-oxopurine, or an ester, or salt, or solvate thereof, and wherein the antiherpes substance is acyclovir, or an ester, or salt, or solvate thereof.

41. (Withdrawn) A method for treating a recurrent Herpes simplex virus infection in a mammal, the method comprising administering to the mammal a therapeutic dose of the composition of claim 1.

42. (Withdrawn) A method for treating a Herpes simplex virus infection in a mammal, the method comprising obtaining the kit of claim 32 and administering the inhibitor and antiherpes substance according to the instructions.

43. (Currently Amended) A composition comprising a combination of:

a) a-2-phenylamino-9-(4-hydroxybutyl)-6-oxopurine, or an ester; or salt, or solvate thereof ~~in a first dose less than a median therapeutically effective dose~~; and

b) an antiherpes substance selected from the group consisting of foscarnet or an ester; or salt, or solvate thereof, acyclovir, or an ester; or salt, or solvate thereof, and cidofovir or an ester; or salt, or solvate thereof, ~~in a second dose less than a median therapeutically effective dose;~~ ~~wherein the first dose and the second dose together form a therapeutically effective dose of the combination.~~

44. (Currently Amended) The composition of claim 43, wherein the antiherpes substance comprises acyclovir or an ester; or salt, or solvate thereof.

45. (Currently Amended) A kit for treatment of a Herpes simplex virus infection in a mammal, the kit comprising:

a) a-2-phenylamino-9-(4-hydroxybutyl)-6-oxopurine, or an ester; or salt, or solvate thereof ~~in a first dose less than a median therapeutically effective dose~~;

b) an antiherpes substance selected from the group consisting of foscarnet or an ester; or salt, or solvate thereof, acyclovir, or an ester; or salt, or solvate thereof, and cidofovir or an ester; or salt, or solvate thereof, ~~in a second dose less than a median therapeutically effective dose;~~ ~~wherein the first dose and the second dose together form a therapeutically effective dose;~~ and

c) instructions for administering (a) and (b) concurrently or within a sufficiently close time to achieve coexistent concentrations of (a) and (b) in subject.

46. (Currently Amended) The kit of claim 45, wherein the antiherpes substance comprises acyclovir or an ester; or salt, or solvate thereof.

47-50. (Cancelled)